

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

**BETHEL BAPTIST CHURCH INC.,
PLAINVIEW, TEXAS**
Plaintiff,

v.

**CHURCH MUTUAL INSURANCE
COMPANY**
Defendants.

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CIVIL ACTION NO. 5:19-CV-0071-H

JOINT STIPULATION OF DISMISSAL

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

In accordance with the Court's July 12, 2021 Order (Dkt. No. 38), Plaintiff, **BETHEL BAPTIST CHURCH, INC., PLAINVIEW, TEXAS**, and Defendant, **CHURCH MUTUAL INSURANCE COMPANY** respectfully submit this Joint Stipulation of Dismissal pursuant to FED. R. CIV. P. 41(a)(1)(A)(ii), and state as follows:

1. Plaintiff is **BETHEL BAPTIST CHURCH, INC., PLAINVIEW, TEXAS**; Defendant is **CHURCH MUTUAL INSURANCE COMPANY**.

2. Plaintiff brought the instant action in the 242nd Judicial District Court of Hale County, Texas on March 18, 2019. Defendant answered the state-court action and timely removed the matter to this court on April 15, 2019. Defendant did not assert a counterclaim nor did Defendant seek any affirmative relief herein.

3. Plaintiff filed its Notice of Settlement on October 15, 2020 (Dkt. No. 36), advising that the parties reached a voluntary and agreed settlement addressing each and all of Plaintiff's

claims and causes of action against Defendant herein. The Court entered an Administrative Closure Order on October 16, 2020 (Dkt. No. 37).

4. Plaintiff voluntarily dismisses this suit pursuant to FED. R. CIV. P. 41(a)(1)(A)(ii). This dismissal affects all claims and causes of action related to the allegations asserted in this lawsuit.

5. Defendant, who has appeared herein, agrees to the dismissal. No other parties have been named or appeared in this matter.

6. The parties aver as follows with regard to the nature of this case:

- a. This case is not a class action (FED. R. CIV. P. 23);
- b. This case is not a derivative action (FED. R. CIV. P. 23.1);
- c. This case is not an action related to an unincorporated association (FED. R. CIV. P. 23.2); and
- d. This case does not involve a suit by or against a receiver, nor has any receiver been appointed or sought in this case (FED. R. CIV. P. 66).

7. This civil action is not governed by any federal statute that requires a court order for dismissal of the case.

8. Plaintiff has not previously dismissed any federal or state court suit based on or including the same claims as those presented in this case.

9. Pursuant to Rule 41(a)(1)(B), the parties stipulate that this dismissal is intended to be **with prejudice**.

10. The parties stipulate that all costs and other expenses shall be borne by the party incurring same.

Signed: July 12, 2021

Respectfully submitted,

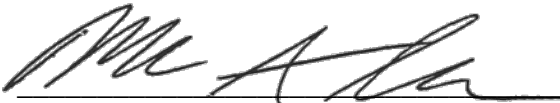
/s/ Sean Patterson

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- and -

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